

Minutes
Public Service and Trust Commission Committee on
Uniformity of Court Procedures
November 18, 2008

The Public Service and Trust Commission Committee on Uniformity of Court Procedures met at the Meriden Training Facility, Training Room A, Town-Line Square Plaza, 533 South Broad St., Meriden, CT on November 18, 2008 at 2:30 PM.

Those in attendance: Atty. David Atkins, Atty. Timothy Bates, Hon. James J. Devine, Atty. Tais Ericson, Ms. Jane Grein, Hon. John J. Langenbach, Atty. Susan E. Malliet, Hon. Douglas C. Mintz (co-chair), Atty. Joseph R. Mirrione, Hon. Lynda B. Munro, Hon. William B. Rush, Hon. Christine S. Vertefeuille, Hon. Theodore R. Tyma, and Atty. Frederic S. Ury (co-chair).

The meeting was called to order at 2:40 PM by Judge Mintz.

1. Welcome and Introduction of committee members – Judge Mintz welcomed the members in attendance and asked the members to introduce themselves to the group.
2. Review of strategic planning and implementation process – Judge Mintz provided an overview of the strategic planning process that began last year with the formation of the Public Service and Trust Commission by Chief Justice Rogers. The process included conducting over 90 focus groups, two public hearings, and surveys to obtain information from all branch stakeholders. Information obtained was organized and divided into five broad categories that were addressed by committees formed by the Commission. The committees developed outcome goals and a strategic plan. In June, the Chief Justice received and accepted the plan. Over the summer, the Chief Justice, the chief court administrator, Judge Quinn, the deputy chief court administrator, Judge Carroll, and Judge DiPentima, the chair of the commission, developed an implementation plan. In this first phase, 28 initiatives will be implemented, through already-existing committees and through seven new committees that were formed. This committee is one of the new committees, and it will look at the issue of uniformity of process and procedures in the courts. Copies of the implementation plan will be sent to all members of this committee.
3. Review of committee charge from Commission – Atty. Ury then provided an overview of the committee's charge: to review the current procedures in civil, family, housing and juvenile courts statewide and determine where it makes sense to have uniform procedures and how to accomplish that uniformity.
4. Overview and discussion of existing practices and procedures – Support staff provided a brief overview of existing practices and procedures, including existing standing orders, and an overview of upcoming changes to short calendar procedures, which will change in December and will be further revised in February. Methods of marking, marking options, and arguable and nonarguable status of matters will be changing. Copies of the new calendar notices will be provided to members of the committee.

It was noted that complex litigation will not be affected by these short calendar changes. A discussion ensued about the notices and whether they will eliminate the variation from one district to the next. The notice does allow for a local preference with respect to handling the scheduling of an argument. This flexibility may be necessary due to the needs of different size districts, for example. This committee will be able to discuss whether there is a need to further standardize the notices.

The question was raised as to the need for additional representatives from the family bench and bar. Judge Munro will provide names to the chief court administrator's office for possible additions to the committee to be certain that there is sufficient input from family practitioners.

5. Discussion of Timeline – Although the timeline in the committee charge calls for the submission of recommendations by March 1, 2009, that deadline can be revised. The co-chairs will report out at a meeting of the Public Service and Trust Commission in late January on the progress of the committee.
6. Discussion on focus groups – The committee will conduct focus groups in order to identify the areas where a lack of uniformity of court practices and procedures is a problem to those who interact with the branch. These groups should include people whose practice is multi-jurisdictional. Although the committee charge suggested four focus groups of attorneys and support staff, additional focus groups may be needed to ensure input from all parts of the state. The process of conducting focus groups was then described. The original groups solicited information on general trends and impacts on the branch.

These focus groups will gather information on all aspects of civil and family practice, including pretrial processes, prejudgment remedy processes, and administrative appeals processes, where a lack of uniformity may be causing problems. Questions to use with the focus groups were suggested. The committee will determine to what extent any lack of uniformity impacts the juvenile and housing bars. It was suggested that the committee might need to add juvenile practitioners, depending upon the results of the focus groups. In connection with housing, Judge Munro offered to provide materials on a training program she had created.

The committee then discussed the possible logistics of conducting the focus groups. A number of locations for the focus groups were suggested, including Bridgeport, the CBA facility, and Norwich/New London. Ways to solicit focus group attendees, including seeking suggestions from administrative and presiding judges, local bar associations and other bar organizations, and committee members, were also discussed. The composition of the groups, including whether to combine office support staff with the attorneys and whether to conduct separate civil and family groups, was discussed. Various times to schedule these focus groups were suggested, including evenings and lunch hours.

After lengthy discussion, the committee suggested that focus groups: (1) be held in the evening as well as the afternoon; (2) include both support staff and attorneys; (3) be scheduled separately for civil, including housing and family, including juvenile; and (4) include as participants lawyers and support staff from all parts of the state. Atty. Mirrione moved that the committee empower the co-chairs to set up and conduct the focus groups taking into account the discussions and suggestions of the committee. The motion was seconded by Atty. Malliet. The motion was approved unanimously.

7. Formation of subcommittees – The next item for discussion was the formation of subcommittees. Suggestions were made as to possible chairs for the subcommittees. After discussion, Judge Hiller will be asked to chair the civil subcommittee and Judge Schofield will be asked to chair the family subcommittee. The need for adding family practitioners to the committee was reiterated. Atty. Atkins also agreed to serve on the family committee.
8. Future meetings – The committee will meet again after the focus groups have been completed. Meriden appears to be a good location for the committee to meet.
9. Additional issues for discussion at future meetings – There was a brief discussion about whether items from the earlier focus groups would be considered. The specific items from those focus groups regarding uniformity were included in the charge to this committee.

The importance of taking advantage of the committees of the Connecticut Bar Association in seeking input for the focus groups and the work of this committee was raised.

Upon motion and second, the meeting was adjourned unanimously at 4:10 PM.